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Security Council

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Resolution 2350 (2017)

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The Security Council,

Reaffirming its previous resolutions on Haiti, in particular its resolutions 2313 (2016), 2243 (2015), 2180 (2014), 2119 (2013), 2070 (2012), 2012 (2011), 1944 (2010), 1927 (2010), 1908 (2010), 1892 (2009), 1840 (2008), 1780 (2007), 1743 (2007), 1702 (2006), 1658 (2006), 1608 (2005), 1576 (2004), and 1542 (2004),

Recognizing the major milestone towards stabilization achieved with the peaceful completion of the electoral process and return to constitutional order on 7 February 2017, and commending Haitian authorities, in particular the Haitian Provisional Electoral Council and the Haitian National Police (HNP), for their efforts towards ensuring elections were conducted in a credible and inclusive manner and held in a largely peaceful environment,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Haiti,

Commending the Special Representative of the Secretary-General's efforts and the role of the United Nations Stabilization Mission in Haiti (MINUSTAH) to support the political process in Haiti, the professionalization of the police and in the maintenance of a secure and stable environment,

Expressing its deep appreciation and gratitude to the personnel of MINUSTAH and to all Member States which have contributed to MINUSTAH and paying tribute to those injured or killed in the line of duty; *commending* the successful work achieved by MINUSTAH, including the wide range of reconstruction efforts conducted after the 2010 earthquake,

Welcoming the ongoing strengthening, professionalization and reform of the HNP, while noting the need for continued international support for the HNP so that it can fulfil its constitutional mandate, including by expanding its geographical reach and building its technical capacity, as well as its community-based programmes, as appropriate; *affirming* the importance of the 2017-2021 Strategic Development Plan of the HNP, developed on the basis of a joint HNP-United Nations Police (UNPOL) capacity and needs assessment,

Emphasizing the importance of the continued support of the United Nations and the international community for the long-term security and development of Haiti, particularly in building the capacity of the Government of Haiti, consolidating

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and building on the achievements of the past 13 years, while *encouraging* the Haitian authorities to address the longstanding risks of instability,

Recalling its resolutions 1645 (2005) and 2282 (2016) and *reaffirming* the primary responsibility of the national Government in implementing its peacebuilding and sustaining peace strategies to address the interconnected nature of challenges in Haiti, *highlighting* the contribution of sustainable development to peacebuilding and sustaining peace, and in this regard, *emphasizing* the importance of national ownership, inclusivity, and the role that civil society can play to advance national peacebuilding processes and objectives in order to ensure that the needs of all segments of society are taken into account,

Acknowledging that while important progress has been made, Haiti continues to face significant humanitarian challenges, especially in the aftermath of Hurricane Matthew, and *affirming* that progress in the reconstruction of Haiti, as well as in Haiti's social and economic development, including women and youth, through effective, coordinated, commendable international development assistance and increased Haitian institutional capacity to benefit from this assistance, is crucial to achieving lasting and sustainable stability, and *reiterating* the need for security to be accompanied by sustainable development in its social, economic and environmental dimensions, including efforts in risk reduction and preparedness that address the country's extreme vulnerability to natural disasters, efforts in which the Government of Haiti plays a leading role, with the assistance of the United Nations Country Team (UNCT),

Welcoming the General Assembly's resolution A/RES/71/161 on the United Nations 'New Approach to Cholera in Haiti'; *noting* that the implementation of this new approach will fall under the responsibility of the UNCT under the coordination of a DSRSG/HC/RC,

Recognizing that strengthening national human rights institutions as well as respect for human rights, including of women and children, due process and combating criminality, sexual and gender-based violence, and putting an end to impunity and ensuring accountability are essential to ensuring the rule of law and security in Haiti, including access to justice,

Considering that with the completion of the MINUSTAH consolidation plan and the implementation of the transition plan, a broader framework of mutual accountability among the Government of Haiti, the United Nations and the international community could be developed as part of a country strategy to enhance the effectiveness of the support of the follow-on United Nations presence in the country,

Welcoming the report of the Secretary-General of 16 March 2017 (S/2017/223), which includes observations and recommendations from the Strategic Assessment Mission requested by the Council in resolution 2313 (2016), and his recommendation that a new United Nations peacekeeping mission be established in Haiti following the termination of MINUSTAH by 15 October 2017, in order to continue to assist the Government of Haiti, to consolidate gains by reinforcing government institutions and strengthening the national capacity for rule of law, police development, and human rights,

Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations,

Acting under Chapter VII of the Charter of the United Nations, as described in section 1 of operative paragraph 7 of resolution 1542 (2004), and with regards to operative paragraphs 5 to 14 that relate to the new mission,

1. *Decides* to extend MINUSTAH's mandate, as contained in its resolutions 2313 (2016), 2243 (2015), 2180 (2014), 2119 (2013), 2070 (2012), 2012 (2011), 1944 (2010), 1927 (2010), 1908 (2010), 1892 (2009), 1840 (2008), 1780 (2007), 1743 (2007), 1702 (2006), 1658 (2006), 1608 (2005), 1576 (2004), and 1542 (2004), for a final period of six months, and that the Mission shall close by 15 October 2017;

2. *Decides* that the military component of MINUSTAH shall gradually drawdown during the final six-month period, fully withdrawing from Haiti by 15 October 2017;

3. *Reaffirms* that, in the framework of the improvement of the rule of law in Haiti, strengthening the justice sector and the capacity of the HNP, including in its efforts to strengthen the Directorate of Prisons Administration (DAP) management, is paramount for the Government of Haiti to take timely and full responsibility for Haiti's security needs;

4. *Requests* the Secretary-General to begin immediately to reduce MINUSTAH tasks in a phased manner ensuring that critical functions are defined and appropriate support capacity maintained, and *further requests* MINUSTAH to prioritize efforts and to ensure a successful and responsible transition to United Nations Mission for Justice Support in Haiti (MINUJUSTH), as established in paragraph 5, and further strengthening the institutional and operational capacities of the HNP;

5. *Decides* to establish a follow-on peacekeeping mission in Haiti, MINUJUSTH, which shall be composed of up to seven Formed Police Units (FPUs) (or 980 FPU personnel) and 295 Individual Police Officers (IPOs), for an initial period of six months from 16 October 2017 until 15 April 2018, and emphasizes the importance of reaching the above-mentioned levels;

6. *Further decides* MINUJUSTH shall be mandated to assist the Government of Haiti to strengthen rule of law institutions in Haiti; further support and develop the HNP; and engage in human rights monitoring, reporting, and analysis;

7. *Further decides* that MINUJUSTH will be headed by a Special Representative of the Secretary-General, who will also play a good offices and advocacy role at the political level to ensure full implementation of the mandate;

8. *Underscores* that MINUJUSTH shall retain seven FPUs, reduced from MINUSTAH's current 11, deployed to five regional departments to safeguard the security gains of the past years through the provision of operational support to the HNP and that the number of FPUs shall be adjusted downward and harmonized with the gradual build-up of the HNP within a projected two-year timeframe;

9. *Stresses* that the 295 IPOs reduced from MINUSTAH's authorized 1,001 would play a key role in the implementation of the priorities in the HNP Strategic Development Plan 2017-2021;

10. *Further underscores* that the 38 government-provided corrections personnel reduced from the current level of 50 would play a key role in more fully engaging the HNP in efforts to strengthen the DAP management;

11. *Decides* that the rule of law efforts of MINUJUSTH, including community violence reduction efforts and quick impact projects, as appropriate, will be part of a strategy towards a continued, progressive transition to development actors;

12. *Authorizes* MINUJUSTH to use all necessary means to carry out its mandate to support and develop the HNP and in paragraph 13;

13. *Further authorizes* the Mission to protect civilians under imminent threat of physical violence, within its capabilities and areas of deployment, as needed;

14. *Requests* the Secretary-General to ensure medical enablers, and to also ensure air assets necessary to deploy security forces rapidly throughout Haiti and in support of the HNP;

15. *Reaffirms* the importance for MINUJUSTH to take fully into account gender mainstreaming as a crosscutting issue throughout its mandate and to assist the Government of Haiti in ensuring the participation, involvement and representation of women at all levels;

16. *Recognizes* the ownership and primary responsibility of the Government and the people of Haiti over all aspects of the country's development; and *encourages* MINUJUSTH to continue its efforts to provide logistical and technical expertise, within available means and consistent with its mandate;

17. *Recalls* its resolution 2272 (2016), and all other relevant United Nations resolutions, and *requests* the Secretary-General to take the necessary steps to ensure full compliance of all MINUSTAH and MINUJUSTH personnel with the United Nations zero-tolerance policy on sexual exploitation and abuse, and to continue to keep the Council informed, and *urges* troop and police-contributing countries to redouble efforts in preventing cases of misconduct and to ensure that acts involving their personnel are properly investigated and punished;

18. *Commends* the commitment of the troop- and police-contributing countries in implementing United Nations mandates in challenging environments, and in this connection, highlights the importance of addressing the issues of undeclared national caveats, lack of effective command and control, refusal to obey orders, failure to respond to attacks on civilians, and inadequate equipment, that may adversely affect effective mandate implementation;

19. *Further affirms* the importance of a successful and responsible transition between MINUSTAH and MINUJUSTH and *underscores* the importance of coordination between MINUJUSTH and UNCT, and *further requests* the Secretary-General to establish a MINUJUSTH advance planning team at the earliest possible date;

20. *Requests* the Secretary-General to complete the joint MINUSTAH and UNCT Transition Plan within the six-month period referred to in paragraph 1, in order for MINUJUSTH to be operational immediately following MINUSTAH's closure, detailing the transfer of tasks that will occur and addressing residual stabilization needs in the country;

21. *Requests* the Secretary-General to report to the Security Council on the implementation of this resolution, including any instances of mandate implementation failures, within 90 days and 180 days from its adoption, as well as in an assessment report 30 days before the expiration of MINUJUSTH's initial mandate;

22. *Requests* that the initial 90 day report include details on the joint MINUSTAH and UNCT Transition Plan referred to in paragraph 20, and *further requests* that the assessment report referenced in paragraph 21 set out a well-developed and clearly benchmarked projected two-year exit strategy to a non-peacekeeping United Nations presence in Haiti to continue supporting the efforts of the Government of Haiti in sustaining peace and peacebuilding;

23. *Expresses its intent* to continue to review conditions in Haiti, and to consider adapting MINUJUSTH's mandate and police force levels, as needed, to preserve the progress Haiti has made towards durable security and stability;

24. *Decides* to remain actively seized of the matter.